

681

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the administrative code of the city of New York and the general business law, in relation to requiring certain business signs to be posted in English

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivisions f, g, h and i of section 19-124 of the admin-
2 istrative code of the city of New York are relettered subdivisions g, h,
3 i and j and a new subdivision f is added to read as follows:
4 F. INFORMATION REQUIRED. 1. NOTWITHSTANDING ANY INCONSISTENT
5 PROVISION OF THIS SECTION, A COMMERCIAL ESTABLISHMENT THAT ERECTS OR
6 MAINTAINS A CANOPY SHALL BE REQUIRED TO PAINT, IMPRINT OR STENCIL
7 DIRECTLY UPON THE CANOPY, WITHIN THE CHARACTER AND AREA LIMITATION
8 PRESCRIBED BY THE ZONING RESOLUTION OF THE CITY, THE FIRM NAME OR DULY
9 FILED TRADE NAME, AND THE ADDRESS OF THE PREMISES. WHEN SUCH INFORMATION
10 IS PROVIDED IN A FOREIGN LANGUAGE IT MUST ALSO BE PROVIDED IN ENGLISH.
11 THE PROVISIONS OF THIS SUBDIVISION SHALL APPLY TO ALL COMMERCIAL ESTAB-
12 LISHMENTS REGARDLESS OF WHETHER THE ESTABLISHMENT OWNS OR LEASES THE
13 PREMISES WHERE IT IS LOCATED.
14 2. NO LEASE OF A PREMISES TO A COMMERCIAL ESTABLISHMENT SUBJECT TO THE
15 PROVISIONS OF THIS SUBDIVISION SHALL PROHIBIT THE DISPLAY OF ANY INFOR-
16 MATION REQUIRED BY THIS SUBDIVISION.
17 S 2. Section 131 of the general business law, as amended by chapter
18 496 of the laws of 1973, is amended to read as follows:
19 S 131. [Ownership of] INFORMATION REGARDING merchandise establishments
20 and services to be publicly revealed and displayed. 1. Every person,
21 partnership, association or corporation owning or conducting any shop,
22 store or other establishment or service wherein the sale of merchandise
23 at retail or wholesale is carried on or transacted or a service is

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 performed as a business shall cause the true, full name, including the
2 full first name or legally registered trade name or names of the propri-
3 etor or owner or proprietors or owners of such shop, store or other
4 establishment or service to be publicly revealed and prominently and
5 legibly displayed in the English language either upon a window of such
6 shop, store or other establishment or place where a service is performed
7 or upon a sign conspicuously placed upon the exterior of the building
8 containing the same. [The foregoing provisions shall not apply to a
9 person, partnership, association or corporation operating under a lease,
10 a department in a shop, store or other establishment or service as afore-
11 said where the lessor of such shop, store or other establishment or
12 service is liable to customers for merchandise sold by and the oper-
13 ations of such leased department.] Failure to comply with the provisions
14 of this section shall constitute a [misdemeanor] VIOLATION, PUNISHABLE
15 BY A FINE OF TWO HUNDRED FIFTY DOLLARS FOR A FIRST OFFENSE; AND A FINE
16 OF FIVE HUNDRED DOLLARS FOR A SECOND OFFENSE, PROVIDED THAT A PERSON,
17 PARTNERSHIP, ASSOCIATION OR CORPORATION MAY NOT BE CHARGED WITH A SECOND
18 OFFENSE WITHIN SIXTY DAYS OF THE DATE OF CONVICTION FOR THE FIRST
19 OFFENSE; AND A FINE OF FIVE THOUSAND DOLLARS FOR A THIRD AND SUBSEQUENT
20 OFFENSE, PROVIDED THAT A PERSON, PARTNERSHIP, ASSOCIATION OR CORPORATION
21 MAY NOT BE CHARGED WITH A THIRD OFFENSE WITHIN THIRTY DAYS OF THE DATE
22 OF CONVICTION FOR THE SECOND OFFENSE.

23 2. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF THIS SECTION, IN A
24 CITY WITH A POPULATION OF ONE MILLION OR MORE, IN ALL DISTRICTS OF SUCH
25 CITY, ANY PERMITTED SIGN CONTAINING INFORMATION IMPRINTED OR DISPLAYED
26 IN A LANGUAGE OTHER THAN ENGLISH SHALL ALSO CONTAIN THE SAME INFORMATION
27 IN ENGLISH.

28 S 3. The New York City department of consumer affairs shall promul-
29 gate any rules and regulations necessary to give effect to the
30 provisions of this act, including but not limited to rules pertaining to
31 the size and proportion of all English language signs required by the
32 provisions of this act.

33 S 4. This act shall take effect immediately.